

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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GROUP 180

In re Application of: :
Adang/Kemp : Group Art Unit: 184
Serial No. 260,574 : Examiner: Tanenholz
Filed: October 20, 1988 :
For: INSECT RESISTANT PLANTS :

INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

The above application is a continuation-in-part of copending application serial no. 848,733, filed April 4, 1986, a continuation-in-part application of application serial no. 535,354, filed September 24, 1983, now abandoned. An information disclosure statement together with copies of the relevant art cited was filed in that application, all of which is hereby incorporated by reference herein.

I. In addition to the art disclosed in the parent application, the following items, which are not cited in the Specification hereof, may be considered to be the more pertinent to patentability. Copies of these items are submitted herewith.

A. Fischhoff et al. (1987) Biotechnology 5:807-813.

This reference discloses full-length and truncated B.t. genes expressed in tomato. The transformed tomato was toxic to insects but the gene was not reported to be toxic to the plant tissue.

B. DeGreve et al., EPO publication number 0,193,259, published March 9, 1986.

This reference is a patent application which appears to be based on the disclosure of the Vaeck et al. (1987) Nature 328:33-37 article cited in the parent application.

II. The following U.S. and European patent applications which are discussed in the Specification may be considered to be the more pertinent to patentability. Copies of these items are not submitted herewith.

C. Adang et al., U.S. patent application serial no. 617,321, filed June 4, 1984.

D. Adang et al., U.S. patent application serial no. 242,482, filed September 9, 1988.

III. The following items are cited in the Specification, which is believed to demonstrate their relevance. Copies of these items are not submitted herewith.

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